

Appl. No. 09/729,939

Amdt. dated December 12, 2007

Reply to final office action of October 18, 2007

### REMARKS

This is in response to the Final Office Action mailed October 18, 2007. Claims 1-3, 8-14, 16-27, 29-34 and 36-37 were rejected as being obvious in view of the combination of U.S. Pat. No. 5,438,517 ("Sennott") and US. Pat. No. 6,009,394 ("Bargar"), Claims 4, 15, 28 and 35 were rejected as obvious in view of the combination of Sennott, Bargar and U.S. Pat. No. 6,639,592 ("Dayanand"), and Claims 5-7 were rejected as obvious in view of the combination of Sennott, Bargar and U.S. Pat. No. 6,253,164 ("Rohm").

Applicants respectfully request reconsideration of the present application in view of the following remarks. Applicants submit that Claims 1-37 are in condition for allowance.

#### Rejections under 35 U.S.C. §103

As indicated in previous responses, Sennott fails to disclose the recited claim elements: "fitting a polynomial spline to the at least one geographic feature by applying a least squares approximation to the data points specifying latitude and longitude coordinates to generate a plurality of control points for the polynomial spline" of independent Claim 1; "the spline control points being derived, using a least squares approximation, from a plurality of data points specifying latitude and longitude coordinates of locations along the geographic feature" of independent Claim 14; "fitting a polynomial spline to each of the geographic features by computing a plurality of control points yielding the least squares approximation to the corresponding set of data points specifying latitude and longitude coordinates" of independent Claim 16; "the spline control points being derived, using a least squares approximation, from a plurality of data points specifying latitude and longitude coordinates of locations along the geographic feature" of independent Claim 23; and "a processor configured to apply a least squares approximation to the data points specifying latitude and longitude coordinates to generate the plurality of control points for a polynomial spline" of independent Claim 29.

In the Final Office Action, the Bargar reference was combined with the Sennott reference to form the obviousness rejection. The Final Office Action cited Bargar as follows:

Bargar et al. teaches a system and method for interfacing a 2D or 3D movement space to a high dimensional sound synthesis control space (See abstract), in which he teaches fitting a polynomial spline to the at least one geographic feature by applying a least squares approximation (See column 6, lines 60-64).

Therefore, it would have been obvious to a person having ordinary skill in the art to use the teachings of applying a least squares approximation to a two-dimensional spline function as taught in Bargar et al. to Sennott et

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al.'s vehicle position determination system and method in order to link positions/data points smoothing for the polynomial spline (See Bargar et al., column 6, lines 56-64). (Final Office Action, page 3).

Applicants' independent claims are not obvious over the combination of Sennott and Bargar for at least two reasons.

First, even if Sennott and Bargar were combined, as suggested in the final office action, the resultant combination would still fail to disclose fitting a polynomial spline to at least one *geographic feature* by applying least squares approximation. Bargar discloses fitting a polynomial spline to arm gestures captured with a wand type hardware input device. (see Bargar: column 6, lines 35-38). The arm gestures are captured as traces (called paths by Bargar), and these traces are smoothed with a sequence of spline curves. (see Bargar: column 6, lines 39, 54-54). Although Bargar discloses fitting spline curves to captured arm gestures of a music conductor, Bargar fails to disclose fitting a polynomial spline to a geographic feature, such as a road.

Second, the Bargar patent is nonanalogous prior art, so it is inappropriate to use Bargar as a reference against the present application. Bargar relates to a system for generating a sound output based on the input movement of the music conductor's wand. (see Bargar: Abstract, lines 10-12). That is, Bargar relates to sound generation as illustrated with Figure 6. In stark contrast, the present application relates to cartographic databases and to computer-based systems that display graphical maps of geographic areas using cartographic databases that contain data that represent the geographic features in the areas. The geographic features represented by data in cartographic databases may include roads, intersections, points-of-interest, lakes, railroad tracks, buildings, airports, stadiums, parks, mountain ranges, bridges, and so on. As indicated in MPEP 2141.01(a), in order to rely on a reference as the basis for rejection, the reference must either be in the field of the applicants' endeavor or reasonably pertinent to the particular problem with which the inventors were concerned. Bargar's sound generation is a totally different field of endeavor than cartographic databases. Additionally, Bargar's sound generation from conductor's movements is not pertinent to the present inventors' problem of representing geometry of a geographic feature, such as a road. One of ordinary skill in the art would not consider sound generation relevant to a problem of representing road geometry. Thus, the Bargar patent is nonanalogous prior art.

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Moreover, there is no suggestion that would motivate one of ordinary skill to combine Sennott and Bargar. Sennott describes a system for operating a vehicle either completely automatic or substantially automatic without significant human involvement in the operation. (See, Sennott: column 12, lines 8-16). Bargar relates to a system for generating a sound output based on the input movement of the music conductor's wand. (see Bargar: Abstract, lines 10-12). One of ordinary skill would not combine Sennott and Bargar because the two references are in two completely different fields of art with totally unrelated applications and problems.

For at least the above reasons, Claims 1-37 are not obvious in view of the combination of Sennott and Bargar. Thus, Claims 1-37 are in condition for allowance.

### Conclusion

With the present response, all the issues in the final office action mailed October 18, 2007 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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